

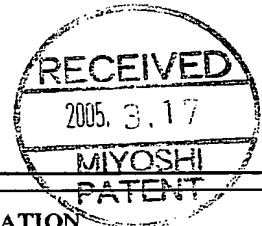
**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT  
(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

MIYOSHI, Hidekazu  
9th Floor, Toranomon Daiichi Building, 2-3, Toranomon  
1-chome  
Minato-ku, Tokyo 105-0001  
JAPON



Date of mailing (day/month/year)  
10 March 2005 (10.03.2005)

Applicant's or agent's file reference  
JJVC-90-PCT

**IMPORTANT NOTIFICATION**

International application No.  
PCT/JP2003/008108

International filing date (day/month/year)  
26 June 2003 (26.06.2003)

Applicant

VICTOR COMPANY OF JAPAN, LIMITED et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

AZ, CA, CH, CN, CO, EP, GH, KG, KP, KR, MK, MZ, RO, RU, TM

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, BA, BB, BG, BR, BY, BZ, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, ES, FI, GB, GD, GE, GM, HR, HU, ID, IL, IN, IS, JP, KE, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MN, MW, MX, NI, NO, NZ, OA, OM, PG, PH, PL, PT, SC, SD, SE, SG, SK, SL, SY, TJ, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Authorized officer

Yoshiko Kuwahara

Facsimile No.+41 22 740 14 35

Facsimile No.+41 22 338 90 90

Translation

PATENT COOPERATION TREATY

PCT/JP2003/008108



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference JJVC-90-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008108	International filing date (day/month/year) 26 June 2003 (26.06.2003)	Priority date (day/month/year) 28 June 2002 (28.06.2002)
International Patent Classification (IPC) or national classification and IPC G11B 7/135		
Applicant VICTOR COMPANY OF JAPAN, LIMITED		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☒ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 03 December 2003 (03.12.2003)	Date of completion of this report 13 August 2004 (13.08.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

BEST AVAILABLE COPY

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

T/JP2003/008108

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages 1-29,31-53, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages 30, filed with the letter of 23 July 2004 (23.07.2004)
- ☒ the claims:  
 pages 15-24,26-27, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages 25,29,31, filed with the letter of 23 July 2004 (23.07.2004)
- ☒ the drawings:  
 pages 1/31-31/31, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. 1-14,28,30
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

CT/JP03/08108

IV. Lack of unity of invention

1. In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☒ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☒ complied with.
- ☐ not complied with for the following reasons:

4. Consequently, the following parts of the international application were the subject of international preliminary examination in establishing this report:

- ☒ all parts.
- ☐ the parts relating to claims Nos. \_\_\_\_\_

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP03/08108

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	15-27, 29, 31	YES
	Claims		NO
Inventive step (IS)	Claims	15-27, 29, 31	YES
	Claims		NO
Industrial applicability (IA)	Claims	15-27, 29, 31	YES
	Claims		NO

## 2. Citations and explanations

Claims 15-27, 29 and 31

Document 1: JP, 2002-117572, A (Sharp Corp.), 19 April, 2002 (19.04.02), full text, Figs. 1-26

Document 2: JP, 2000-339745, A (Sony Corp.), 8 December, 2000 (08.12.00), full text, Figs. 1-16

Document 3: JP, 2001-76370, A (Sony Corp.), 23 March, 2001 (23.03.01), full text, Figs. 1-12

The above documents, which show the general technical standards in the relevant technical fields, describe an optical pickup having (1) a first laser beam source, (2) an integrated device having (a) a second laser beam source with a wavelength different from that of the first laser beam source and (b) a beam-receiving means both integrated therein, and (3) a laser beam path branching element to let both the beams that have been emitted by the first and second laser beam sources and then returned from an information recording medium together into the beam-receiving means of the integrated device; however, a constitution wherein a polarization beam splitter having polarization selectivity for beams of the first laser and polarization non-selectivity for those of the second laser is used as a laser beam path branching element, is neither described nor suggested in any of the documents cited in the ISR.